The Orissa Gazette

EXTRAORDINARY

PUBLISHED BY AUTHORITY

No. 946, CUTTACK, WEDNESDAY, MAY 14, 2008/ BAISAKHA 24, 1930

PARLIAMENTARY AFFAIRS DEPARTMENT

NOTIFICATION

The 12th May 2008

No. 3331-OLA/1-15/2007 (pt.)/PAD.—Whereas the Commission of Inquiry consisting of Hon'ble Shri Justice Chira Ranjan Pal, a retired Judge of Orissa High Court, was appointed by the Notification of Government of Orissa in the Parliamentary Affairs Department No.6178/PAD., dated the 15th September, 2004, published in the extraordinary issue No.1235, dated the 15th September, 2004 of the *Orissa Gazette* (hereinafter referred to as the said Notification), to enquire into the alleged violation of the recruitment procedure and the illegal and unfair practice adopted in giving appointments and showing favouritism and nepotism by misuse of official position, alleged corruption committed in the purchase of computers for the Legislative Assembly and any other matter connected with or incidental thereto specified in the said Notification and report within three months from the date of its publication;

And, whereas, it was felt necessary to extend the time stipulated in the said Notification for furnishing report to the State Government, up to 28th February, 2005 and the time was extended up to 28th February, 2005 in the Notification of the Government of Orissa in Parliamentary Affairs Deptt., No. 8188/PAD., dated the 14th December, 2004;

And, whereas, the Hon'ble Shri Justice C.R. Pal has again been entrusted to enquire into the alleged irregularities committed in installation of Attendance and Access Control System in the Orissa Legislative Assembly by the Notification of the Government of Orissa in Parliamentary Affairs Department, No. 1090-OLA/1-26/2004/PAD., dated the 31st January, 2005 and the time was extended up to 31st May, 2005 in the Notification of the Government of Orissa in the Parliamentary Affairs Department No.1767/PAD., dated the 1st March, 2005;

And, whereas, the Hon'ble Shri Justice C.R. Pal required to examine more witnesses on the alleged irregularities regarding violation of recruitment procedure in giving appointments, purchase of computers and installation of Attendance Access Control System in Orissa Legislative Assembly, the time was further extended up to 31st August, 2005 in the Notification of the Government of Orissa in Parliamentary Affairs Department No. 3747/PAD., dated the 30th May, 2005;

And, whereas, the Hon'ble Shri Justice C.R. Pal required to examine more witnesses in connection with purchase of computers for Orissa Legislative Assembly and in connection with installation of Attendance and Access Control System in Orissa Legislative Assembly, the time was extended up to 30th November, 2005 in the Notification of Government of Orissa in Parliamentary Affairs Department No.6049/PAD., dated the 30th August, 2005;

And, whereas, the Hon'ble Shri Justice C.R. Pal required to examine 10 to 12 more witnesses in connection with installation of Attendance and Access Control System in Orissa Legislative Assembly along with a series of documents exhibited during the Inquiry, the time was further extended for a period of one month up to 31st December, 2005;

And, whereas, the Hon'ble Shri Justice C.R. Pal required to cross examine the witnesses who have already been examined in Chief with reference to various documents the tenure was extended up to 28th February, 2006;

And, whereas, the Hon'ble Shri Justice C.R. Pal required to witness Ex-Secretary and former Speaker, Orissa Legislative Assembly and whereas further time is required to cross examine the witnesses by the aggrieved party the tenure was extended up to 31st May, 2006;

And, whereas, Hon'ble Shri Justice C.R. Pal required to cross examine 51 witnesses as per the list submitted by Shri Sarat Kumar Kar, Ex-Speaker, Orissa Legislative Assembly in his petition, the tenure was extended up to 31st July, 2006;

And, whereas, Hon'ble Shri Justice C.R. Pal required to cross examine another 10 witnesses out of the list furnished by Shri Sarat Kumar Kar, Ex-Speaker, Orissa Legislative Assembly and some other witnesses in connection with supply of computers and installation of Attendance and Access Control System in Orissa Legislative Assembly, the tenure was extended up to 30th September, 2006;

And, whereas, Hon'ble Shri Justice C. R. Pal has required to cross examine 7 more witnesses with reference to several files and take few more days to hear the argument to prepare the report the tenure was extended up to 30th November, 2006;

And, whereas, the Commission has required to examine another 11 nos. of witnesses as per the list furnished by Shri Sarat Kumar Kar, Ex-Speaker, Orissa Legislative Assembly in his defence, the tenure was extended up to 31st December, 2006;

And, whereas, the Commission has required to examine two more witnesses out of the list furnished by Shri Sarat Kumar Kar, Ex-Speaker,O.L.A. and some other witnesses for which summons were already issued, besides, it required considerable time for preparation of report, the tenure was extended up to 31st January, 2007;

And, whereas, the Commission has required to prepare report of the findings of Inquiry considering the evidences and exhibits, the tenure was extended up to 28th February, 2007;

And, whereas, the Commission has required some time more to prepare report with reference to voluminous evidences and exhibits and whereas, the Commission preferred to deal with matter relating to jurisdiction of the Commission which is under sub-judice in Hon'ble High Court, Orissa., the tenure was extended up to 31st March, 2007;

And, whereas, Shri Sarat Kumar Kar, Ex-Speaker, O.L.A. has filed W.P(C) No.905 of 2007 before the Hon'ble High Court challenging the jurisdiction of the Commission and the same was posted to the 13th April, 2007 for hearing and any observation on the said issue would amount to pre-judging the same, the tenure was extended up to 30th April, 2007;

And, whereas, the WP (C) 905 of 2007 before the Hon'ble High Court, Orissa is still pending for adjudication and was posted to 4th May, 2007, the tenure was extended up to 31st May, 2007

And, whereas, the WP (C) 905 of 2007 filed by Shri Sarat Kumar Kar, Ex-Speaker is still pending before the Hon'ble High Court, Orissa for adjudication and was posted to 3rd week of June, 2007, the tenure was extended up to 30th June, 2007;

And, whereas, the WP (C) 905 of 2007 is still pending before the Hon'ble High Court, Orissa for adjudication and was posted to 4th July, 2007, the tenure was extended up to 31st July, 2007;

And, whereas, due to pending of the WP (C) 905 of 2007 filed by Shri Sarat Kumar Kar, Ex-Speaker, OLA before the Hon'ble High Court, the tenure was extended up to 30th April,2008 in nine different spells viz. 31st August, 2007, 30th September,2007, 31st October,2007, 30th November, 2007, 31st December,2007, 31st January, 2008, 29th February, 2008 , 31st March, 2008 and lastly up to 30th April, 2008

And, whereas, the WP (C) 905 of 2007 is still pending for disposal before the Hon'ble High Court, Orissa, the Secretary to Commission of Inquiry has requested to extend the tenure for a further period of one month up to 31st May, 2008 to enable the Commission to submit its report.

It is, therefore, felt necessary to extend the time stipulated in the said Notification by the State Government for a further period of one month up to 31st May, 2008

Now, therefore, in exercise of the powers conferred by section 3 read with sub-section(1) of Section 5 of the Commissions of Inquiry Act, 1952 (60 of 1952), the State Government do hereby make the following amendment to the said Notification, namely:—

AMENDMENT

In the said Notification for the words “Forty three and half months” appearing in the consequential portion, the words “Forty four and half months” shall be substituted.

By order of the Governor

P. K. MOHANTY
Commissioner-*cum*-Secretary to Government

Printed and published by the Director, Printing, Stationery and Publication, Orissa, Cuttack-10
Ex. Gaz. 279-193+50